

STATE OF MICHIGAN
COURT OF APPEALS

SUSAN KRYGOSKI,

Petitioner-Appellant,

v

CITY OF MENOMINEE,

Respondent-Appellee.

UNPUBLISHED

June 12, 2003

No. 239102

Tax Tribunal

LC No. 00-287183

00-287184

00-287185

DEBORAH FREDERICKSEN,

Petitioner-Appellant,

v

CITY OF MENOMINEE,

Respondent-Appellee.

No. 239103

Tax Tribunal

LC No. 00-287186

SANDRA WEBB,

Petitioner-Appellant,

v

CITY OF MENOMINEE,

Respondent-Appellee.

No. 239104

Tax Tribunal

LC No. 00-287187

MARIE SALEWSKI,

Petitioner-Appellant,

v

No. 239105

Tax Tribunal

CITY OF MENOMINEE,

LC No. 00-287191

Respondent-Appellee.

LUELLA NELSON,

Petitioner-Appellant,

v

No. 239106

Tax Tribunal

CITY OF MENOMINEE,

LC No. 00-287189

Respondent-Appellee.

MRS. SAMUEL LAVALLEY,

Petitioner-Appellant,

v

No. 239107

Tax Tribunal

CITY OF MENOMINEE,

LC No. 00-287188

Respondent-Appellee.

JOSEPH KRYGOSKI,

Petitioner-Appellant,

v

No. 239108

Tax Tribunal

CITY OF MENOMINEE,

LC No. 00-287190

Respondent-Appellee.

Before: Sawyer, P.J., and Meter and Schuette, JJ.

PER CURIAM.

In these consolidated cases, petitioners appeal as of right from tax tribunal orders dismissing their petitions challenging a special assessment for a sewer project. We affirm. These appeals are being decided without oral argument pursuant to MCR 7.214(E).

The tax tribunal has authority to dismiss a petition for failure to comply with its rules or orders. Such action is reviewed for an abuse of discretion, which will be found to exist where the result is so palpably and grossly violative of fact and logic that it evidences a perversity of will, a defiance of judgment, or the exercise of passion or bias. *Professional Plaza, LLC v Detroit*, 250 Mich App 473, 475; 647 NW2d 529 (2002).

After petitioners filed their petitions, the tribunal sent their attorney a notice relating to each case informing him that he had to resubmit each claim on the form provided with the notice and pay the appropriate fee. The notice set forth a deadline and provided that dismissal would result if the form was not timely returned. The tribunal sent the notices and forms to petitioners' counsel at his address as given in the original petitions. The items were not returned by the post office and petitioners' counsel did not submit the forms within the time provided. The tribunal properly dismissed the claims. 1999 AC, R 205.1320(2). Petitioners' counsel sought to have the orders of dismissal set aside, claiming he never received the notices and forms. Apart from the fact that it is highly unlikely that nine separate pieces of mail sent to the same address would all be irretrievably lost, the requests for relief were not accompanied by the requisite motion fee as required by 1999 AC, R 205.1230(1). Under the circumstances, we find no abuse of discretion.

Affirmed.

/s/ David H. Sawyer
/s/ Patrick M. Meter
/s/ Bill Schuette